

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA

DOCKET NOS. 1984-29-T; 2010-281-T - ORDER NO. 2010-666

OCTOBER 7, 2010

IN RE: Application of James E. Baker d/b/a Yellow Cab for a Class C (Taxi) Certificate of Public Convenience and Necessity for Operation of a Motor Vehicle Carrier)	ORDER GRANTING
)	EXPEDITED REVIEW
)	AND APPROVING
)	TRANSFER OF CLASS C
)	TAXI CERTIFICATE
And)	
)	
Application of James E. Baker d/b/a Yellow Cab to Transfer Class C (Taxi) Certificate of Public Convenience and Necessity No. 3986 to Yellow Cab of Conway, LLC)	
)	
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)	

This matter comes before the Public Service Commission of South Carolina (the Commission) by way of the Application of James E. Baker d/b/a Yellow Cab (the Applicant) for approval of the transfer of Class C (Taxi) Certificate No. 3986 to Yellow Cab of Conway, LLC. The Applicant requests expedited review of this matter, which we grant.

Upon instructions of the Commission's Clerk's Office, the Applicant published a Notice of Filing concerning the proposed transaction in newspapers of general circulation. No Protest or Petitions to Intervene were received. We will therefore proceed to consider the request.

Upon consideration of the Application, the representations contained therein, and the documentary evidence attached thereto, the Commission finds that the proposed transfer should be approved. As per 26 S.C. Code Ann. Regs. 103-135.4, the

Commission holds that the transfer will not adversely affect the service to the public under the certificate, and that Yellow Cab of Conway, LLC is fit, willing, and able to perform the service to the public under the authority sought. Although the Application fails to provide evidence of twelve (12) months previous continuous service by the Applicant, we waive the requirement as is allowed by the regulation. We further waive the requirements of the regulation that appear to apply to transfers of certificates for the transportation of household goods, said requirements appearing specifically in 26 S.C. Code Ann. Regs. 103-135.3.b.

The Commission's review of the Application, and the nature of the taxi cab business,¹ leads this Commission to find that the present Application should be approved.

IT IS THEREFORE ORDERED:

1. That the transfer of Class C (Taxi) Certificate No. 3986 from James E. Baker d/b/a Yellow Cab to Yellow Cab of Conway, LLC is hereby approved.

2. That Yellow Cab of Conway, LLC file with the Office of Regulatory Staff (ORS) the proper license fees, proof of liability insurance (i.e. "Form E"), and other information required by S.C. Code Ann. Section 58-23-10 et seq. (1976), as amended, and by 26 S.C. Code Ann. Regs. 103-100 through 103-241 (Supp. 2009) of the Commission's Rules and Regulations for Motor Carriers, and 23A S.C. Code Ann. Regs. 38-400 through 38-503 (Supp. 2009) of the Department of Public Safety's Rules and Regulations for Motor Carriers, within sixty (60) days of the date of this Order, or within such additional time as may be authorized by the Commission.

¹ See, e.g., Order No. 79-26, issued in Docket No. 78-491, IN RE: Application of Right's Transportation Service, Inc., on February 27, 1979.

3. That failure of Yellow Cab of Conway, LLC to either (1) complete the certification process by complying with the requirements of filing with the ORS proof of appropriate insurance and the payment of license fees and such other information required by law within sixty (60) days of the date of this Order or (2) request and obtain from the Commission additional time to comply with the requirements stated above, may result in the authorization approved in this Order being revoked.

4. That upon compliance with the filing of information as required by S.C. Code Ann. Section 58-23-10, et seq. (1976), as amended, and the applicable Regulations for Motor Carriers, S.C. Code Ann. Regs. Vol. 26 (Supp. 2009), as amended, Yellow Cab of Conway, LLC may operate under the transferred Certificate.

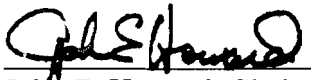
5. That prior to compliance with the requirements regarding the filing of certain information with the ORS, the motor carrier services authorized by this Order may not be provided by Yellow Cab of Conway, LLC.

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6. That this Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:



John E. Howard, Chairman

ATTEST:



David A. Wright, Vice Chairman

(SEAL)